

Remarks in Response to Advisory Action

Applicants appreciate the Examiner's conclusion in the Advisory Action of December 8, 2003 (statement 4) that claims 1, 6, 10, 13, 16, 29 and 30 as amended in the Response and Amendment submitted November 26, 2003 are allowable. Applicants request that the Examiner consider again claims 3, 7, 11, 14, 20, 21-28, and claims 31 and 32 as presented in the Response and Amendment of November 26, 2003.

In the Advisory Action of January 8, 2004, the Examiner had stated that Applicants did not point out specific basis for the recitation of 98% identity in amended claims 3 and 26. Basis for claiming AIR polypeptides having at least 98% identity to SEQ ID NO: 2 is found in the specification, for example, page 9, lines 24 to 25, reciting polypeptides having at least about 90% identity to SEQ ID NO: 2 (native AIR). Polypeptides having 98% identity fall into the group of polypeptides having at least about 90% identity. No new matter has been added by this amendment to the claims. Therefore, Applications request that claims 3 and 26, as amended on November 26, 2003, and claims which depend from claim 3 (claims 7, 11, and 14) be reconsidered and allowed.

Applicants further point out that the instant specification contains specific support for claims 27, 28, and 32 reciting fusion proteins. Support for these claims is found in the specification, for example, page 5, line 35 to page 6, line 25, as well as Examples 3, 4 and 5. Therefore reconsideration and allowance of claims 27, 28 and 32 is respectfully requested.

Conclusion

Applicants request that upon further consideration of the Response and Amendment of the Claims originally filed November 26, 2003, and the additional remarks submitted above, that the Examiner will reconsider the rejection of the claims and find pending claims 1, 3, 6, 7, 10, 11, 13, 14, 16, and 20 to 32 allowable. If

any additional fee is required in connection with this R.C.E., please charge
Applicants' Deposit Account No. 09-0089 in the amount necessary to permit
consideration of the pending claims.

Respectfully submitted,



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